



City Secretary's Office
City of Frisco, Texas

Memorandum

To: Honorable Mayor Maso and Members of the Frisco City Council

Cc: George A. Purefoy, City Manager

From: **Jenny Page, City Secretary**
Henry J. Hill, Deputy City Manager

Date: 02/07/2010

Agenda Caption: **Consider and act upon an Ordinance calling a Special Charter Amendment Election and associated documents.**

Action Requested: City Council approval of an Ordinance calling a Special Charter Amendment Election to be held on May 8, 2010.

Background Information: The Frisco Charter specifies in Section 11.06 that Amendments to this Charter may be framed and submitted to the qualified voters of the City in the manner provided by the Constitution and the laws of the State of Texas as presently enacted or hereafter amended; including upon petition; but, no more than once every two (2) years, as provided by the laws of the State of Texas.

Section 11.07(1) states that every six years the City Council shall appoint a Charter Review Commission at least every six (6) years that shall consist of ten (10) citizens of the City who shall: A) inquire into the operation of the City government under the Charter and determine whether any provisions require revision and B) propose any recommendation it deems desirable to insure compliance with the Charter of the City government.

Having completed a comprehensive review, the Charter Commission has submitted its recommendations to Council for final assessment and presentation to the voters. The fourteen Propositions are presented in the attached Ordinance calling a Special Charter Amendment Election for May 8, 2010 that must be approved by March 2, 2010 to meet the March 8, 2010 deadline for calling an election.

Based on the Council's discussion and questions at your February 2nd meeting, we have included a document which shows the Charter Commission's Report with suggested revisions based on Council's comments. The suggested changes are shown **highlighted** and in **blue** with ~~striketrough~~ and underline to designate the changes. These include:

- Proposition No. 3 – showing more clearly the change is from two to three terms and reverting to existing Charter language which clarifies that the change is applicable to combination of Mayor and Council terms.
- Proposition No. 8 – changing from the words “twelve (12) months” to “one (1) year”.
- Proposition No. 12 – deleting the words “and overbroad” to make clear the reason for the proposed deletion of Section 13.04.
- Proposition No. 13 – rephrasing to better state what the prohibited activities are and to make clear the prohibitions apply to Council Member *and* Mayoral candidates in the revisions to Section 14.05

As discussed at Council's February 2nd meeting, the Proposed Ordinance calling the election includes two exhibits. “Exhibit A” has the specific *Proposed Charter Amendments* language changes showing additions and deletions to the existing Charter language along with the companion *Ballot Propositions*. “Exhibit B” has the *Ballot Propositions* as they would appear on the ballot. In both Exhibits, we have modified the language to include the suggested revisions in response to your February 2nd meeting comments. If Council has different changes to those, the Ordinance language will need to be adopted subject to those revisions.

Board Review/Citizen Input: The Charter Commission has recommended changes and the public has had several opportunities to express concerns.

Alternatives: Table and approve at the March 2, 2010 Regular meeting, call a special meeting before March 2nd, or Deny and make no changes to the existing Charter.

Financial Considerations: N/A

Legal Review: City Attorney Courtney Kuykendall has drafted the Ordinance.

Supporting Documents: Listing of suggested changes from Council 02/02/10 meeting; Proposed Ordinance.

Staff Recommendation: Approval